

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

U.S. Bank Trust, N.A., as Trustee for LSF9
Master Participation Trust

CIVIL ACTION NO: 2:19-cv-00454-JDL

Plaintiff

JUDGMENT OF FORECLOSURE AND
SALE

vs.

RE:
401 Burnham Road, Bridgton, ME 04009

L. Robert Thomas a/k/a L. Robert
Thomas, Jr.

Mortgage:
October 18, 2006
Book 24489, Page 277

Defendant
Jonathan Weld

Party-In-Interest

U.S. DISTRICT COURT
DISTRICT OF MAINE
PORTLAND
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This matter came before the Court for a testimonial hearing on Plaintiff's Motion for Default Judgment on October 18, 2023. Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, was present and represented by Reneau J. Longoria, Esq. Defendant, L. Robert Thomas a/k/a L. Robert Thomas, Jr., did not appear; Party-In-Interest, Jonathan Weld did not appear.

All persons interested having been duly notified in accordance with the law, and after hearing, the Plaintiff's Motion for Default Judgment is GRANTED. Count II - Breach of Note, Count III - Breach of Contract, Money Had and Received, Count IV - Quantum Meruit, and Count V - Unjust Enrichment are hereby **DISMISSED** without prejudice at the request of the Plaintiff.

JUDGMENT on Count I - Foreclosure is hereby **ENTERED** as follows:

1. If the Defendant or his/her heirs or assigns pay U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust ("U.S. Bank") the amount adjudged due and owing (\$403,227.95) within 90 days of the date of the Judgment, as that time period is

calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$162,538.55
Interest	\$157,055.52
Escrow	\$66,416.42
Late Fees	\$2,483.10
Total Advances	\$920.50
Corporate Advances	\$14,734.36
Grand Total	\$403,227.95

2. If the Defendant or his/her heirs or assigns do not pay U.S. Bank the amount adjudged due and owing (\$403,227.95) within 90 days of the judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, his/her remaining rights to possession of the Bridgton Property shall terminate, and U.S. Bank shall conduct a public sale of the Bridgton Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds first to itself in the amount of \$403,227.95 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. U.S. Bank may not seek a deficiency judgment against the Defendant pursuant to the Plaintiff's waiver of deficiency at trial.
3. In the event that the Defendant, and anyone occupying the premises, do not vacate the property upon termination of his/her right to possession, U.S. Bank may reopen this matter to seek a Writ of Assistance and/or Writ of Possession to be served by the U.S. Marshals Service pursuant to Federal Rule of Civil Procedure 4.1(a) consistent with this Judgment.
4. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.

5 The amount due and owing is \$403,227.95.

6 The priority of interests is as follows:

- U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust has first priority, in the amount of \$403,227.95, pursuant to the subject Note and Mortgage.
- Jonathan Weld who has been defaulted has the second priority behind the Plaintiff pursuant to a Writ of Execution dated August 26, 2014, in the amount of \$886.80, and recorded in the Cumberland County Registry of Deeds in Book 31757, Page 75.
- L. Robert Thomas a/k/a L. Robert Thomas, Jr. have the third priority behind the Plaintiff.

7. The prejudgment interest rate is 6.87500%, *see* 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 5.43%, *see* 28 U.S.C. § 1961.

8. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust 13801 Wireless Way Oklahoma City, OK 73134	Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 303C Beverly, MA 01915
DEFENDANT	L. Robert Thomas a/k/a L. Robert Thomas, Jr. 387 Burnham Road, Unit B Bridgton, ME 04009	Pro Se

PARTIES-IN-INTEREST

Jonathan Weld P.O. Box 532 Bridgton, ME 04009	Pro Se
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- a) The docket number of this case is No. 2:19-cv-00454-JDL.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 401 Burnham Road, Bridgton, ME 04009, is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 401 Burnham Road, Bridgton, ME 04009. The Mortgage was executed by the Defendant, L. Robert Thomas a/k/a L. Robert Thomas, Jr. on October 18, 2006. The book and page number of the Mortgage in the Cumberland County Registry of Deeds is Book 24489, Page 277.
- e) This judgment shall not create any personal liability on the part of the Defendant but shall act solely as an in rem judgment against the property, 401 Burnham Road, Bridgton, ME 04009.

SO ORDERED

DATED THIS

18th DAY OF October,



A handwritten signature in blue ink, appearing to read "Robert J. Lasker". It is positioned above a horizontal line and below the title "U.S. DISTRICT JUDGE".

U.S. DISTRICT JUDGE

Doc# 69726 Blk124489 Pg# 293

EXHIBIT A

A certain lot or parcel of land situated in said Bridgton, and being more particularly bounded and described as follows:

Lot #5 as the same is depicted on Plan of Burnham Woods, Bridgton, Maine, developed by Ralph Sama dated April, 1985 and recorded in the Cumberland County Registry of Deeds in Plan Book 148, Page 39, reference to which is hereby made for a more particular description of the property herein conveyed.

CUMBERLAND COUNTY
A TRUE COPY OF RECORD

Attest 
Register